

REGULAR MEETING
BOROUGH COUNCIL
BOROUGH OF RUMSON
June 25, 2019

A regular meeting of the Borough Council of the Borough of Rumson was held in the Charles S. Callman Courtroom of Borough Hall on Tuesday, June 25, 2019 at 7:30 p.m.

Pledge of Allegiance.

Present: Mayor Hemphill, Council President Atwell, Councilmen Casazza, Conklin, Kingsbery, Rubin and Swikart.

Absent: None.

Thomas S. Rogers, Municipal Clerk/Administrator, was present.

Martin M. Barger, Borough Attorney, was present.

David Marks, Borough Engineer, was present.

Mayor Hemphill declared a quorum present and announced that the notice requirements of the Open Public Meetings Act had been met by the posting and mailing of a schedule of all regular and work meetings of the Borough Council for the year 2019 to the *Asbury Park Press* and the *Two River Times*.

On motion by Councilman Rubin, seconded by Council President Atwell, the minutes of the previous meeting were approved as written, copies having been forwarded to all Council members. All in favor.

COMMUNICATIONS:

LETTER OF THANKS FROM HERB GEISS, CANTERBURY FAIR CHAIR AT ST. GEORGE'S-BY-THE-RIVER.

The Municipal Clerk/Administrator received a letter from Herb Geiss, Canterbury Fair Chair at St. George's-By-the-River Church thanking the Mayor, Council, Police Department and Borough employees for the support given during the recent Fair. Specifically, he thanked everyone for their help with signage, security, bulk pickup and traffic assistance.

On motion by Councilman Rubin, seconded by Councilman Casazza, this communication was ordered received. All in favor.

LETTER FROM GEORGIA MARINO OF NAJARIAN ASSOCIATES NOTIFYING OF AN APPLICATION FOR NJDEP LAND USE REGULATION PERMITS AND AN IN-WATER WATERFRONT DEVELOPMENT PERMIT FOR 17 SHREWSBURY DRIVE (BLOCK 135, LOT 8).

The Municipal Clerk/Administrator received a letter from Georgia Marino of Najarian Associates providing legal notification that an application has been submitted to the New Jersey Department of Environmental Protection, Division of Land Use Regulation Program for an In-Water Waterfront Development Permit to legalize a small existing dock. Property is located at 17 Shrewsbury Drive (Block 135, Lot 8).

On motion by Councilman Rubin, seconded by Council President Atwell, this communication was ordered received. All in favor.

COMMITTEE REPORTS:

Councilman Conklin shared information from the Navesink River Municipal Community Group regarding the testing of water in the Navesink River by the New Jersey Department of

Environmental Protection. He stated that Bill Heddendorf from the Bureau of Marine Water Testing at NJDEP informed the Group that testing will continue further up the river now into other towns where tributaries are adding to the flow of water into the Navesink. Councilman Conklin hopes this will bring more involvement from these towns when assessing environmental impact.

UNFINISHED BUSINESS:

MOTION TO OPEN THE PUBLIC HEARING ON THE 2019 BOROUGH BUDGET AS INTRODUCED:

On motion by Councilman Rubin, seconded by Council President Atwell, the meeting was opened to public hearing on the 2019 Borough Budget as introduced. All in favor.

PUBLIC HEARING:

The Mayor afforded the public an opportunity to be heard at this time on the 2019 Borough Budget as introduced.

Stu Sendell of 7D Lafayette Street approached the Council. Mr. Sendell congratulated the Mayor and Council on their efforts regarding Police Department budgeting and keeping municipal costs down.

MOTION TO CLOSE THE PUBLIC HEARING ON THE 2019 BOROUGH BUDGET AS INTRODUCED:

On motion by Councilman Rubin, seconded by Council President Atwell, the public hearing on the 2019 Borough Budget as introduced was ordered closed. All in favor.

NEW BUSINESS:

RESOLUTION 2019-0625-78 AUTHORIZING THE ADOPTION OF THE 2019 BOROUGH BUDGET AS INTRODUCED.

2019-0625-78

RESOLUTION ADOPTING THE 2019 MUNICIPAL BUDGET

Be It Resolved by the Borough Council of the Borough of Rumson, County of Monmouth that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 12,244,746.35 (Item 2 below) for municipal purposes, and
- (b) \$ 0.00 (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and,
- (c) \$ 0.00 (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$ 0.00 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy.

		Year 2019
SUMMARY OF REVENUES		
1. General Revenues		
Surplus Anticipated		\$ 2,803,000.00
Miscellaneous Revenues Anticipated		\$ 3,335,974.51
Receipts from Delinquent Taxes		\$ 450,000.00
2. Amount to be Raised by Taxation for Municipal Purposes		\$12,244,746.35
3. Amount to be Raised by Taxation for <u>Schools in Type I</u> School Districts Only:		
Item 6, Sheet 42	\$	0.00
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	\$	0.00

Total Amount to be Raised by Taxation for Schools in Type I School Districts Only	\$	0.00
4. To be Added to the Certificate for Amount to be Raised by Taxation for Schools in Type II School Districts Only:		
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	\$	0.00
5. Amount to be Raised by Taxation Minimum Library Levy	\$	0.00
Total Revenues		\$18,833,720.86

SUMMARY OF APPROPRIATIONS

5. General Appropriations		
Within "CAPS"		
(a & b) Operations Including Contingent	\$10,338,976.66	
(e) Deferred Charges and Statutory Expenditures – Municipal	\$ 1,259,979.82	
(g) Cash Deficit	\$	0.00
Excluded from "CAPS"		
(a) Operations – Total Operations Excluded from "CAPS"	\$ 2,384,052.71	
(c) Capital Improvements	\$ 2,000,000.00	
(d) Municipal Debt Service	\$ 1,763,134.00	
(e) Deferred Charges – Municipal	\$	0.00
(f) Judgments	\$	0.00
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)	\$	0.00
(g) Cash Deficit	\$	0.00
(k) For Local District School Purposes	\$	0.00
(m) Reserve for Uncollected Taxes (Include Other Reserves if Any)	\$ 1,087,577.67	
6. School Appropriations – Type I School Districts Only (N.J.S. 40A:4-13)	\$	0.00
Total Appropriations		\$18,833,720.86

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 25th day of June 2019. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2019 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

The above Resolution was moved by Councilman Rubin, seconded by Councilwoman Atwell and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

Municipal Clerk/Administrator Thomas Rogers recognized Chief Financial Officer Helen Graves for all the hard work, time and effort she put into preparing the budget along with him for Year 2019.

The Mayor and Council thanked Ms. Graves as well.

RESOLUTION 2019-0625-79 AUTHORIZING THE MAYOR AND BOROUGH ADMINISTRATOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE AMERICAN RED CROSS REGARDING EMERGENCY MANAGEMENT.

2019-0625-79

Councilman Rubin offered the following Resolution and moved its adoption:

BOROUGH OF RUMSON

RESOLUTION

AUTHORIZE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH

THE AMERICAN RED CROSS TO COORDINATE RESPONSES AND RESOURCES
TO EMERGENCY OR DISASTER SITUATIONS

WHEREAS, the Borough of Rumson and American Red Cross desire to enter into a Memorandum of Understanding to define a working relationship between the two entities in preparing for, responding to, and recovering from emergencies and disasters; and,

WHEREAS, the Memorandum of Understanding provides a broad framework for cooperation and support between the Borough and the American Red Cross in assisting individuals, families, and communities who have been or could be impacted by a disaster or an emergency; and,

WHEREAS, the Borough recognizes the American Red Cross as having mass care responsibility in domestic disasters and when activated, authorizes and will support and coordinate in with the Red Cross in the execution of these duties to maximize services to the community and duplication of efforts,

THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Rumson hereby authorizes the Mayor and Borough Administrator to execute a Memorandum of Understanding, a copy of which is on file in the Office of the Municipal Clerk, with the American Red Cross to provide a framework for coordination of activities in preparation, response, or recovery from emergencies and disasters; and,

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Office of Emergency Management Coordinator, the American Red Cross and the Monmouth County Office of Emergency Management.

Resolution seconded by Councilman Casazza and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

RESOLUTION 2019-0625-80 APPROVING THE PROMOTION OF SERGEANT PETER KOENIG TO THE RANK OF POLICE LIEUTENANT.
2019-0625-80

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, the Borough Council Police Committee has recommended Sergeant Peter M. Koenig for the position of Police Lieutenant; and

WHEREAS, the Borough Council agrees with the Police Committee’s recommendation;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Sergeant Peter M. Koenig be promoted to the rank of Police Lieutenant effective June 30, 2019 at an annual base salary as specified in the current P.B.A. contract.

Resolution seconded by Councilman Casazza and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

FINANCIAL OFFICER’S REPORT:

The Financial Officer’s Report disclosed the following as of May 31, 2019:

BOROUGH OF RUMSON
CHIEF FINANCIAL OFFICER REPORT TO THE MAYOR AND COUNCIL
Analysis of Cash for the Month Ending: May 31, 2019

FUNDS	Beginning Balance	Cash Receipts	Disbursements	Ending Balance
1. CURRENT FUND				
Current Fund Checking	35,565,112.64	6,241,541.81	(7,212,096.52)	34,594,557.93
Change Funds	300.00			300.00
Certificates of Deposit	0.00			-
Total Current Fund	35,565,412.64	6,241,541.81	(7,212,096.52)	34,594,857.93
2. CAPITAL FUND				-
Capital Fund Checking	3,699,362.63	7,162.00	(341,686.34)	3,364,838.29
Total Capital Fund	3,699,362.63	7,162.00	(341,686.34)	3,364,838.29
3. PAYROLL & PAYROLL AGENCY				
Payroll	2,981.86	301,026.63	(301,026.63)	2,981.86
Payroll Agency	10,527.29	186,048.22	(186,048.22)	10,527.29
Total Payroll & Payroll Agency	13,509.15	487,074.85	(487,074.85)	13,509.15
4. TRUST FUNDS				
Trust Fund Checking	648,256.74	1,763.85	(4,687.75)	645,332.84
Unemployment Trust	79,306.68	49.53	(6,236.56)	73,119.65
Recreation Trust	637,854.59	49,121.76	(28,370.50)	658,605.85
C.O.A.H. Trust	2,956,751.41	11,208.46	(1,981.94)	2,965,977.93
Law Enforcement Trust Fund	445.77	0.30	0.00	446.07
LEAD (formerly DARE)	11,255.04	7.60	(1,973.60)	9,289.04
Cafeteria Plan	10,086.89	0.00	(1,262.72)	8,824.17
Animal Control Trust Fund	34,372.60	819.00	(401.78)	34,789.82
Total Trust Funds	4,378,329.72	62,970.50	(44,914.85)	4,396,385.37
TOTAL ALL FUNDS	43,656,614.14	6,798,749.16	(8,085,772.56)	42,369,590.74

Respectfully submitted by:

Helen L. Graves

Helen L. Graves, Chief Financial Officer

On motion by Councilman Casazza, seconded by Councilman Rubin, the Financial Officer’s Report was ordered received and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

CONSIDERATION OF BILLS AND CLAIMS (RESOLUTION):

Councilman Casazza offered the following Resolution and moved its adoption:

Vendor	Amount
QUICKEN LOANS	\$ 1,400.59
AIROYAL COMPANY	\$ 70.82
ALLIED OIL, LLC	\$ 7,229.43
ALL HANDS FIRE EQUIPMENT LLC	\$ 325.00
AMERICAN RED CROSS	\$ 360.00
ASBURY PARK PRESS	\$ 1,421.35
BOXWOOD GARDENS	\$ 500.00
ROBERT A BURLEW	\$ 840.00
BUTCH'S AUTO. CAR WASH, INC.	\$ 72.00
CERTIFIED SPEEDOMETER SERVICE	\$ 231.00
RALPH CLAYTON & SONS	\$ 74.28
CONSTELLATION NEW ENERGY INC	\$ 754.34
COOPER ELECTRIC SUPPLY CO.	\$ 406.02
CROWN TIRE	\$ 99.90
DELTA DENTAL OF NEW JERSEY INC	\$ 3,947.91
DETCO	\$ 212.50
EDWARDS TIRE CO INC	\$ 530.48
FAIR HAVEN HARDWARE INC	\$ 25.17
FAIR HAVEN HARDWARE INC	\$ 32.89
FAIR HAVEN HARDWARE INC	\$ 45.19
FAIR HAVEN HARDWARE INC	\$ 19.76
FIBAR SYSTEMS	\$ 3,742.00
FIRST PRIORITY EMERGENCY	\$ 148.65
FRONTIER TREE COMPANY, INC	\$ 11,000.00
FRONTIER TREE COMPANY, INC	\$ 900.00
GLENCO SUPPLY INC.	\$ 3,312.00
HELEN L.GRAVES	\$ 50.00
KENCOR INC.	\$ 423.00
KENCOR INC.	\$ 98.00
KENCOR INC.	\$ 475.00
REJEAN LALIBERTE	\$ 700.00
LAWES	\$ 288.02
MCKESSON MEDICAL-SURGICAL	\$ 642.56
MERIDIAN OCCUPATIONAL HEALTH	\$ 90.00
MGL PRINTING SOLUTIONS	\$ 214.00
MGL PRINTING SOLUTIONS	\$ 606.00
MICKY BENOIT, INC	\$ 828.00
MONMOUTH COUNTY POLICE ACADEMY	\$ 125.00
MR JOHN INC	\$ 460.49
NEW JERSEY AMERICAN WATER	\$ 9,568.00
NJ SHADE TREE FEDERATION	\$ 95.00
NEXVORTEX, INC	\$ 437.58
NJ GRAVEL & SAND CO.	\$ 368.75
NJ STATE ASSN CHIEFS OF POLICE	\$ 375.00
ONE CALL CONCEPTS	\$ 218.08
OSWALD ENTERPRISES, INC.	\$ 750.00
PEP EXPRESS PARTS	\$ 453.03
PUMPING SERVICES INC	\$ 257.25
PUMPING SERVICES INC	\$ 1,301.68
PUMPING SERVICES INC	\$ 2,277.00
QUALITY GLASS	\$ 252.71
QUALITY ELECTRICAL CONST CO.	\$ 767.00
REPUBLIC SERVICES of NJ, LLC	\$ 3,127.51
THOMAS S ROGERS	\$ 668.66
RUDCO PRODUCTS,INC	\$ 799.00
SEABOARD WELDING SUPPLY, INC	\$ 52.00
SITEONE LANDSCAPE SUPPLY	\$ 171.11

SITEONE LANDSCAPE SUPPLY	\$	998.44
MICHELE SMALLZE	\$	6.40
STATE SHORTHAND REPORTING SERV	\$	250.00
STATE SHORTHAND REPORTING SERV	\$	250.00
STAPLES BUSINESS ADVANTAGE	\$	600.18
STAPLES BUSINESS ADVANTAGE	\$	177.93
STAPLES BUSINESS ADVANTAGE	\$	137.61
STAPLES BUSINESS ADVANTAGE	\$	44.37
STAPLES BUSINESS ADVANTAGE	\$	275.70
STAVOLA ASPHALT CO. INC.	\$	467.33
SUBURBAN DISPOSAL INC.,	\$	26,750.00
SUBURBAN DISPOSAL INC.,	\$	23,481.79
TARGETED TECHNOLOGIES LLC	\$	75.00
TARGETED TECHNOLOGIES LLC	\$	2,573.01
TIMMERMAN EQUIPMENT COMPANY	\$	86.68
THE TWO RIVER TIMES	\$	58.28
THE TWO RIVER TIMES	\$	14.57
THE TWO RIVER TIMES	\$	12.40
UNITED STATES POSTAGE SERVICE	\$	2,500.00
WAGEWORKS	\$	100.00
WATCHUNG SPRING WATER CO.	\$	67.39
<i>CURRENT FUND</i>	\$	<i>123,567.79</i>
GUARANTEED PLANTS & FLORIST	\$	400.44
<i>RUMSON ENDOWMENT FUND INC</i>	\$	<i>400.44</i>
ALL LAX LLC	\$	300.00
ATHLETE'S ALLEY	\$	688.50
MARION CAROLAN	\$	560.00
FAIR HAVEN HARDWARE INC	\$	84.53
GOAL TO GOAL,LLC	\$	1,200.00
JOE HADFIELD	\$	200.00
ROBERT CHRISTOPHER JONES	\$	500.00
LEAGUE APPS	\$	1,701.22
MICHAEL MCCARTY	\$	700.00
NEW JERSEY RECREATION &	\$	200.00
RFH REGIONAL HIGH SCHOOL	\$	17,665.37
<i>RECREATION TRUST</i>	\$	<i>23,799.62</i>
<i>Current Fund</i>	\$	<i>123,567.79</i>
<i>Rumson Endowment Fund, Inc.</i>	\$	<i>400.44</i>
<i>Recreation Trust</i>	\$	<i>23,799.62</i>
<i>Total of All Funds</i>	\$	<i>147,767.85</i>

Resolution seconded by Councilman Rubin and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

COMMENTS FROM THE COUNCIL:

Mayor Hemphill afforded the members of the Council an opportunity to be heard at this time.

Councilman Conklin shared that he is still getting positive comments regarding the Memorial Day service and the parade in the town. Specifically, he has heard lots of good feedback on this year's speaker.

He once again complimented the job Borough Administrator Thomas Rogers and his Administrative Assistant Therese Wollman did with organizing and setting up everything for the day.

Lastly, he mentioned that he had the opportunity to meet the father of East River Road resident Christine Sibilia, a ninety-nine year old veteran of the armed forces. Councilman Conklin was very impressed with her father and stated that spending those few minutes with him really helped to put things into a good perspective.

COMMENTS FROM THE PUBLIC:

Mayor Hemphill afforded the public an opportunity to be heard at this time.

Joseph Kelly of 72 Ridge Road approached the Council to discuss a pole in Piping Rock Park that backs up to his property. He feels the pole is becoming a safety hazard and is concerned for his children who play in the backyard.

Mr. Kelly also has concerns that the trees along his property that served as a buffer have been removed. He would like to request that replacement trees be planted.

Borough Engineer David Marks and Mr. Kelly will speak in the morning to discuss a time to meet about this issue.

The Mayor thanked Mr. Kelly for coming and sharing his concerns.

Katie Johnson of 58 South Ward Avenue approached the Council to share information regarding a survey she had prepared for the residents of the West Park area. After providing the Council with the results of the survey, she discussed a recent problem she had with getting back to her house during the Canterbury Fair at St. George's-By-The-River. She would like to make it known that there isn't usually a problem, however she did have a bad experience this weekend. She feels that residential permit parking on weekends would offer a solution. She also feels that a resident meeting, such as the recent meeting held with Lafayette Street residents, would be appropriate while addressing these parking issues and the enforcing of the newly adopted Ordinance.

The Mayor thanked Ms. Johnson for the survey and for coming to the meeting with her concerns.

Beverly Davis of 14 Narumsunk Street approached the Council. She shared that she is in full favor of the paving and curbing plan for her street, however, she feels adding sidewalks will cause too much of a negative impact on the look of her property. She would appreciate it if the Council would find another place to install sidewalks.

Mayor Hemphill explained that a letter was sent out to the residents affected by the upcoming project in order to foster public involvement and gather opinions. He assured Ms. Davis that the plan is not final at this time, though the goal is to interconnect the sidewalks in the area in order to help the children walk safely to school.

Ms. Davis believes the value of the homes will decrease if sidewalks are added to the front of the properties.

The Mayor thanked Ms. Davis for coming and sharing her opinion.

Councilman Conklin confirmed that the Borough has the right-of-way on these properties in order to move forward with the sidewalks, should that be the end result after gathering public opinion.

Joe Arena of 12 Narumsunk Street approached the Council. He thanked Borough Engineer David Marks for his recent visit to his home for a discussion on the upcoming construction project. Mr. Arena feels that pretty much everyone on their street has signed the petition against having sidewalks added. Though he is in support of the curb changes and water drainage improvements, Mr. Arena feels the addition of sidewalks will be detrimental to the look of the properties affected.

He thanked Mr. Marks for his attention to the matter and for coming out and listening to his concerns.

Richelle Frangione of 6 Narumsunk Street approached the Council. She too is in favor of the paving, curbing and certainly the drainage solutions as her property is sometimes affected by a foul odor due to insufficient drainage. However, she feels the addition of sidewalks will give her children less room to play in their yard. She doesn't mind that children cut through her yard and walk on her lawn in order to get to school. It doesn't bother her and she would appreciate more time being spent on this project, in order to find a way to avoid the addition of sidewalks.

The Mayor thanked Ms. Frangione for coming out for the meeting and sharing her comments.

Stu Sendell of 7D Lafayette Street approached the Council. He shared an article wherein Morgan Stanley Research had reviewed the housing market and their research showed that Generations Y&Z are showing a 7% increase in the demand of single family homes while there appears to be an estimated 43% increase in the supply of homes due to Baby Boomers selling. Mr. Sendell feels this trend will continue until more changes are made in the housing industry.

Mr. Sendell then shared an Annual Report for the Homeless Solutions nonprofit, which he had helped to start years ago. The report shows a full thirty year history of the work the nonprofit has done. He feels the peninsula area from Red Bank to Rumson could support this type of nonprofit, as well and would like to see more involvement from the local towns in order to make this type of thing happen.

He then shared an article from the *New York Times* titled "Cities Start to Question an American Ideal: A House with a Yard on Every Lot".

Next, he shared an advertisement from Pulte Homes, a major home builder, showing examples of homes they are currently building in other towns.

He shared another article from the *New York Times* titled "Americans Need More Neighbors".

Lastly, Mr. Sendell shared two articles from the *New Jersey Future* website titled "Job Growth Finally Following Population to Compact Centers" and "Population Growth in Older Centers (but not all of them) Continues to Outstrip the Rest of the State".

The Mayor thanked Mr. Sendell.

ADJOURNMENT:

On motion by Councilman Rubin, seconded by Councilman Casazza, the meeting adjourned at 7:54 p.m. All in favor.

Respectfully submitted,

Thomas S. Rogers, R.M.C.
Municipal Clerk/Administrator